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Attorneys for Defendants,
GRANT PRICE and RUSSELL ENYEART

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

MAURICE HASTINGS,
Plaintiff,

v.

GRANT PRICE, RUSSELL
ENYEART, GEORGE W. CLARK,
through his successor in interest
JOANN M. CLARK, and ESTATE OF
GEORGE W. CLARK (DECEASED),

Defendants.

Case No. 2:23-cv-09684-ODW-AGR
Assigned to: Judge Otis D. Wright, II
Referred to: Magistrate Judge Alicia G.
Rosenberg

**DEFENDANTS GRANT PRICE
AND RUSSELL ENYEART'S
ANSWER TO COMPLAINT;
DEMAND FOR JURY TRIAL**

Complaint Filed: 11/15/2023

Defendants GRANT PRICE and RUSSELL ENYEART ("Defendants")
answer the Complaint for themselves and no other parties, admit, deny and allege as
follows:

INTRODUCTION

1. Answering paragraph 1, Defendants deny Plaintiff was wrongfully
convicted and that DNA testing ultimately proved Hastings' innocence, but admit
Hastings was declared factually innocent.

2. Answering paragraph 2, Defendants deny the allegations contained
therein.

3 4. Answering paragraph 4, Defendants deny the allegations contained
4 therein.

6. Answering paragraph 6, no factual allegations are raised against these answering defendants, and thus go unanswered.

11 || 8. Answering paragraph 8, Defendants admit venue is proper.

13 9. Answering paragraph 9, Defendants lack sufficient information and
14 belief upon which to answer the allegations contained therein, and on that basis
15 deny the allegations.

17 11. Answering paragraph 11, Defendants admit the allegations.

13. Answering paragraph 13, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

25 14. Answering paragraph 14, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis
27 deny the allegations.

28 15. Answering paragraph 15, Defendants lack sufficient information and

1 belief upon which to answer the allegations contained therein, and on that basis
2 deny the allegations.

3 16. Answering paragraph 16, Defendants lack sufficient information and
4 belief upon which to answer the allegations contained therein, and on that basis
5 deny the allegations.

6 17. Answering paragraph 17, Defendants lack sufficient information and
7 belief upon which to answer the allegations contained therein, and on that basis
8 deny the allegations.

9 18. Answering paragraph 18, Defendants lack sufficient information and
10 belief upon which to answer the allegations contained therein, and on that basis
11 deny the allegations.

12 19. Answering paragraph 19, Defendants lack sufficient information and
13 belief upon which to answer the allegations contained therein, and on that basis
14 deny the allegations.

15 20. Answering paragraph 20, Defendants admit the allegations.

16 21. Answering paragraph 21, Defendants admit the allegations.

17 22. Answering paragraph 22, Defendants lack sufficient information and
18 belief upon which to answer the allegations contained therein, and on that basis
19 deny the allegations.

20 23. Answering paragraph 23, Defendants lack sufficient information and
21 belief upon which to answer the allegations contained therein, and on that basis
22 deny the allegations.

23 24. Answering paragraph 24, Defendants lack sufficient information and
24 belief upon which to answer the allegations contained therein, and on that basis
25 deny the allegations.

26 25. Answering paragraph 25, Defendants lack sufficient information and
27 belief upon which to answer the allegations contained therein, and on that basis
28 deny the allegations.

1 26. Answering paragraph 26, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis
3 deny the allegations.

4 27. Answering paragraph 27, Defendants admit the allegations.

5 28. Answering paragraph 28, Defendants lack sufficient information and
6 belief upon which to answer the allegations contained therein, and on that basis
7 deny the allegations.

8 29. Answering paragraph 29, Defendants lack sufficient information and
9 belief upon which to answer the allegations contained therein, and on that basis
10 deny the allegations.

11 30. Answering paragraph 30, Defendants lack sufficient information and
12 belief upon which to answer the allegations contained therein, and on that basis
13 deny the allegations.

14 31. Answering paragraph 31, Defendants lack sufficient information and
15 belief upon which to answer the allegations contained therein, and on that basis
16 deny the allegations.

17 32. Answering paragraph 32, Defendants lack sufficient information and
18 belief upon which to answer the allegations contained therein, and on that basis
19 deny the allegations.

20 33. Answering paragraph 33, Defendants lack sufficient information and
21 belief upon which to answer the allegations contained therein, and on that basis
22 deny the allegations.

23 34. Answering paragraph 34, Defendants lack sufficient information and
24 belief upon which to answer the allegations contained therein, and on that basis
25 deny the allegations.

26 35. Answering paragraph 35, Defendants lack sufficient information and
27 belief upon which to answer the allegations contained therein, and on that basis
28 deny the allegations.

1 36. Answering paragraph 36, Defendants admit the allegations.

2 37. Answering paragraph 37, Defendants lack sufficient information and
3 belief upon which to answer the allegations contained therein, and on that basis
4 deny the allegations.

5 38. Answering paragraph 38, Defendants lack sufficient information and
6 belief upon which to answer the allegations contained therein, and on that basis
7 deny the allegations.

8 39. Answering paragraph 39, Defendants lack sufficient information and
9 belief upon which to answer the allegations contained therein, and on that basis
10 deny the allegations.

11 40. Answering paragraph 40, Defendants admit the allegations.

12 41. Answering paragraph 41, Defendants admit the allegations.

13 42. Answering paragraph 42, Defendants lack sufficient information and
14 belief upon which to answer the allegations contained therein, and on that basis
15 deny the allegations.

16 43. Answering paragraph 43, Defendants lack sufficient information and
17 belief upon which to answer the allegations contained therein, and on that basis
18 deny the allegations.

19 44. Answering paragraph 44, Defendants lack sufficient information and
20 belief upon which to answer the allegations contained therein, and on that basis
21 deny the allegations.

22 45. Answering paragraph 45, Defendants lack sufficient information and
23 belief upon which to answer the allegations contained therein, and on that basis
24 deny the allegations.

25 46. Answering paragraph 46, Defendants deny the allegations contained
26 therein.

27 47. Answering paragraph 47, Defendants lack sufficient information and
28 belief upon which to answer the allegations contained therein, and on that basis

1 deny the allegations.

2 48. Answering paragraph 48, Defendants lack sufficient information and
3 belief upon which to answer the allegations contained therein, and on that basis
4 deny the allegations.

5 49. Answering paragraph 49, Defendants lack sufficient information and
6 belief upon which to answer the allegations contained therein, and on that basis
7 deny the allegations.

8 50. Answering paragraph 50, Defendants lack sufficient information and
9 belief upon which to answer the allegations contained therein, and on that basis
10 deny the allegations.

11 51. Answering paragraph 51, Defendants lack sufficient information and
12 belief upon which to answer the allegations contained therein, and on that basis
13 deny the allegations.

14 52. Answering paragraph 52, Defendants lack sufficient information and
15 belief upon which to answer the allegations contained therein, and on that basis
16 deny the allegations.

17 53. Answering paragraph 53, Defendants lack sufficient information and
18 belief upon which to answer the allegations contained therein, and on that basis
19 deny the allegations.

20 54. Answering paragraph 54, Defendants lack sufficient information and
21 belief upon which to answer the allegations contained therein, and on that basis
22 deny the allegations.

23 55. Answering paragraph 55, Defendants lack sufficient information and
24 belief upon which to answer the allegations contained therein, and on that basis
25 deny the allegations.

26 56. Answering paragraph 56, Defendants lack sufficient information and
27 belief upon which to answer the allegations contained therein, and on that basis
28 deny the allegations.

1 57. Answering paragraph 57, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis
3 deny the allegations.

4 58. Answering paragraph 58, Defendants deny the allegations contained
5 therein.

6 59. Answering paragraph 59, Defendants lack sufficient information and
7 belief upon which to answer the allegations contained therein, and on that basis
8 deny the allegations.

9 60. Answering paragraph 60, Defendants lack sufficient information and
10 belief upon which to answer the allegations contained therein, and on that basis
11 deny the allegations.

12 61. Answering paragraph 61, Defendants lack sufficient information and
13 belief upon which to answer the allegations contained therein, and on that basis
14 deny the allegations.

15 62. Answering paragraph 62, Defendants lack sufficient information and
16 belief upon which to answer the allegations contained therein, and on that basis
17 deny the allegations.

18 63. Answering paragraph 63, Defendants deny the allegations contained
19 therein.

20 64. Answering paragraph 64, Defendants lack sufficient information and
21 belief upon which to answer the allegations contained therein, and on that basis
22 deny the allegations.

23 65. Answering paragraph 65, Defendants lack sufficient information and
24 belief upon which to answer the allegations contained therein, and on that basis
25 deny the allegations.

26 66. Answering paragraph 66, Defendants lack sufficient information and
27 belief upon which to answer the allegations contained therein, and on that basis
28 deny the allegations.

1 67. Answering paragraph 67, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis
3 deny the allegations.

4 68. Answering paragraph 68, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis
6 deny the allegations.

7 69. Answering paragraph 69, Defendants lack sufficient information and
8 belief upon which to answer the allegations contained therein, and on that basis
9 deny the allegations.

10 70. Answering paragraph 70, Defendants lack sufficient information and
11 belief upon which to answer the allegations contained therein, and on that basis
12 deny the allegations.

13 71. Answering paragraph 71, Defendants lack sufficient information and
14 belief upon which to answer the allegations contained therein, and on that basis
15 deny the allegations.

16 72. Answering paragraph 72, Defendants lack sufficient information and
17 belief upon which to answer the allegations contained therein, and on that basis
18 deny the allegations.

19 73. Answering paragraph 73, Defendants lack sufficient information and
20 belief upon which to answer the allegations contained therein, and on that basis
21 deny the allegations.

22 74. Answering paragraph 74, Defendants lack sufficient information and
23 belief upon which to answer the allegations contained therein, and on that basis
24 deny the allegations.

25 75. Answering paragraph 75, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis
27 deny the allegations.

28 76. Answering paragraph 76, Defendants deny the allegations contained

- 1 therein.
- 2 77. Answering paragraph 77, Defendants deny the allegations contained
- 3 therein.
- 4 78. Answering paragraph 78, Defendants deny the allegations contained
- 5 therein.
- 6 79. Answering paragraph 76, Defendants admit the allegations contained
- 7 therein.
- 8 80. Answering paragraph 80, Defendants deny the allegations contained
- 9 therein.
- 10 81. Answering paragraph 81, Defendants deny the allegations contained
- 11 therein.
- 12 82. Answering paragraph 82, Defendants deny the allegations contained
- 13 therein.
- 14 83. Answering paragraph 83, Defendants deny the allegations contained
- 15 therein.
- 16 84. Answering paragraph 84, Defendants deny the allegations contained
- 17 therein.
- 18 85. Answering paragraph 85, Defendants lack sufficient information and
- 19 belief upon which to answer the allegations contained therein, and on that basis
- 20 deny the allegations.
- 21 86. Answering paragraph 86, Defendants lack sufficient information and
- 22 belief upon which to answer the allegations contained therein, and on that basis
- 23 deny the allegations.
- 24 87. Answering paragraph 87, Defendants deny the allegations contained
- 25 therein.
- 26 88. Answering paragraph 88, Defendants deny the allegations contained
- 27 therein.
- 28 89. Answering paragraph 89, Defendants lack sufficient information and

1 belief upon which to answer the allegations contained therein, and on that basis
2 deny the allegations.

3 90. Answering paragraph 90, Defendants lack sufficient information and
4 belief upon which to answer the allegations contained therein, and on that basis
5 deny the allegations.

6 91. Answering paragraph 91, Defendants lack sufficient information and
7 belief upon which to answer the allegations contained therein, and on that basis
8 deny the allegations.

9 92. Answering paragraph 92, Defendants lack sufficient information and
10 belief upon which to answer the allegations contained therein, and on that basis
11 deny the allegations.

12 93. Answering paragraph 93, Defendants lack sufficient information and
13 belief upon which to answer the allegations contained therein, and on that basis
14 deny the allegations.

15 94. Answering paragraph 94, Defendants deny the allegations contained
16 therein.

17 95. Answering paragraph 95, Defendants lack sufficient information and
18 belief upon which to answer the allegations contained therein, and on that basis
19 deny the allegations.

20 96. Answering paragraph 96, Defendants lack sufficient information and
21 belief upon which to answer the allegations contained therein, and on that basis
22 deny the allegations.

23 97. Answering paragraph 58, Defendants admit the allegations contained
24 therein.

25 98. Answering paragraph 98, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis
27 deny the allegations.

28 99. Answering paragraph 99, Defendants lack sufficient information and

1 belief upon which to answer the allegations contained therein, and on that basis
2 deny the allegations.

3 100. Answering paragraph 100, Defendants deny the allegations
4 contained therein.

5 101. Answering paragraph 101, Defendants deny the allegations
6 contained therein.

7 102. Answering paragraph 100, Defendants admit the allegations
8 contained therein.

9 103. Answering paragraph 103, Defendants lack sufficient information
10 and belief upon which to answer the allegations contained therein, and on that
11 basis deny the allegations.

12 104. Answering paragraph 104, Defendants lack sufficient information
13 and belief upon which to answer the allegations contained therein, and on that
14 basis deny the allegations.

15 105. Answering paragraph 105, Defendants lack sufficient information
16 and belief upon which to answer the allegations contained therein, and on that
17 basis deny the allegations.

18 106. Answering paragraph 106, Defendants lack sufficient information
19 and belief upon which to answer the allegations contained therein, and on that
20 basis deny the allegations.

21 107. Answering paragraph 107, Defendants lack sufficient information
22 and belief upon which to answer the allegations contained therein, and on that
23 basis deny the allegations.

24 108. Answering paragraph 108, Defendants lack sufficient information
25 and belief upon which to answer the allegations contained therein, and on that
26 basis deny the allegations.

27 109. Answering paragraph 109, Defendants deny the allegations
28 contained therein.

1 110. Answering paragraph 110, Defendants lack sufficient information
2 and belief upon which to answer the allegations contained therein, and on that
3 basis deny the allegations.

4 **COUNT I**

5 111. Answering paragraph 111, which incorporates by reference the
6 allegations of other paragraphs of the pleading, Defendants to the same extent
7 incorporates by reference the answers provided herein to those paragraphs.

8 112. Answering paragraph 112, Defendants deny the allegations
9 contained therein.

10 113. Answering paragraph 113, Defendants deny the allegations
11 contained therein.

12 114. Answering paragraph 114, Defendants deny the allegations
13 contained therein.

14 115. Answering paragraph 115, Defendants deny the allegations
15 contained therein.

16 116. Answering paragraph 116, Defendants deny the allegations
17 contained therein.

18 117. Answering paragraph 117, Defendants deny the allegations
19 contained therein.

20 118. Answering paragraph 118, Defendants deny the allegations
21 contained therein.

22 119. Answering paragraph 119, Defendants deny the allegations
23 contained therein.

24 **COUNT II**

25 120. Answering paragraph 120, which incorporates by reference the
26 allegations of other paragraphs of the pleading, Defendants to the same extent
27 incorporates by reference the answers provided herein to those paragraphs.

28 121. Answering paragraph 121, Defendants deny the allegations

1 contained therein.

2 122. Answering paragraph 122, Defendants deny the allegations
3 contained therein.

4 123. Answering paragraph 123, Defendants deny the allegations
5 contained therein.

6 124. Answering paragraph 124, Defendants deny the allegations
7 contained therein.

8 125. Answering paragraph 125, Defendants deny the allegations
9 contained therein.

10 126. Answering paragraph 126, Defendants deny the allegations
11 contained therein.

12 127. Answering paragraph 127, Defendants deny the allegations
13 contained therein.

14 128. Answering paragraph 128, Defendants lack sufficient information
15 and belief upon which to answer the allegations contained therein, and on that
16 basis deny the allegations.

17 **COUNT III**

18 129. Answering paragraph 129, which incorporates by reference the
19 allegations of other paragraphs of the pleading, Defendants to the same extent
20 incorporates by reference the answers provided herein to those paragraphs.

21 130. Answering paragraph 130, Defendants deny the allegations
22 contained therein.

23 131. Answering paragraph 132, Defendants deny the allegations
24 contained therein.

25 132. Answering paragraph 133, Defendants deny the allegations
26 contained therein.

27 **COUNT IV**

28 133. Answering paragraph 133, which incorporates by reference the

1 allegations of other paragraphs of the pleading, Defendants to the same extent
2 incorporates by reference the answers provided herein to those paragraphs.

3 134. Answering paragraph 134, Defendants deny the allegations
4 contained therein.

5 135. Answering paragraph 135, Defendants deny the allegations
6 contained therein.

7 136. Answering paragraph 136, Defendants deny the allegations
8 contained therein.

9 137. Answering paragraph 137, Defendants deny the allegations
10 contained therein.

11 **AFFIRMATIVE DEFENSES**

12 As separate and distinct affirmative defenses, defendants allege each of the
13 following:

- 14 1. Plaintiff fails to state a claim upon which relief may be granted.
- 15 2. The action is barred for lack of standing to sue.
- 16 3. The action is barred by the doctrine of res judicata.
- 17 4. The action is barred by the doctrine of collateral estoppel.
- 18 5. The action is barred by the applicable statute of limitations.
- 19 6. Plaintiff is barred from recovering damages in this action because the
20 prosecutor who filed charges against him in the underlying criminal
21 action acted independently in deciding to do so. (See *Smiddy v. Varney*,
22 665 F.2d 261 (9th Cir. 1981)).
- 23 7. Plaintiff's Fourth Amendment claims are barred as a matter of law
24 because he was held to answer at a preliminary hearing in the
25 underlying criminal action.
- 26 8. Defendants are immune from suit under the doctrine of qualified
27 immunity.

28 **WHEREFORE, Defendants pray for relief as follows:**

- 1 1. That the Complaint be dismissed, with prejudice and in its entirety;
- 2 2. That Plaintiff take nothing by reason of this Complaint and that
- 3 judgment be entered against Plaintiff and in favor of Defendants;
- 4 3. That Defendants be awarded their costs incurred in defending this
- 5 action;S
- 6 4. That Defendants be granted such other and further relief as the Court
- 7 may deem just and proper.

8 DATED: March 25, 2024

MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP

11 By: /s/ Geoffrey Plowden
12 Geoffrey Plowden
13 Attorneys for Defendants GRANT PRICE
14 and RUSSELL ENYEART

15 **DEMAND FOR JURY TRIAL**

16 Defendants, GRANT PRICE and RUSSEL ENYEART hereby demand trial
17 of this matter by jury.

18 DATED: March 25, 2024

MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP

22 By: /s/ Geoffrey Plowden
23 Geoffrey Plowden
24 Attorneys for Defendants GRANT PRICE
25 and RUSSELL ENYEART

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017-3012.

On March 25, 2024, I served true copies of the following document(s) described as **DEFENDANTS GRANT PRICE AND RUSSELL ENYEART'S ANSWER TO COMPLAINT; DEMAND FOR JURY TRIAL** on the interested parties in this action as follows:

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Hannah Brown**
hbrown@cpmlegal.com, amason@cpmlegal.com, chernandez@cpmlegal.com
- **Nick J. Brustin**
nick@nsbhf.com, samiha@nsbhf.com, anna@nsbhf.com, alfred@nsbhf.com
- **Emma Freudenberger**
emma@nsbhf.com
- **Christina Crane Matthias**
cmatthias@nsbhf.com
- **Eugene P Ramirez**
Eugene.Ramirez@manningkass.com, julie.contreras@manningkass.com, sxh@manningllp.com
- **Gerardo Romo**
gerardo@nsbhf.com, ariel@nsbhf.com

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 25, 2024, at Los Angeles, California.

/s/ Sandra Alarcon
Sandra Alarcon